

Appln. No. 10/782,117
Amendment dated March 6, 2006
Reply to Office Action mailed December 5, 2005

REMARKS

Reconsideration is respectfully requested.

Claims 1 through 6 and 8 through 16 remain in this application. Claim 7 has been cancelled. No claims have been withdrawn. Claims 17 and 18 have been added.

The Examiner's rejections will be considered in the order of their occurrence in the Office Action.

Part 1 of the Office Action

The drawings have been objected to.

The drawings have been objected to because they are alleged to "not show the medial portion of the elongated sheath being offset from ends of the elongated sheath by about one sixteenth inches as claimed in claims 8 and 10. While drawings are not drawn to scale anyway, the requirement of claims 8 and 10 of "about one sixteenth inches" has been deleted, and the language of these claims has been further clarified. It is submitted that Figure 3 of the drawings clearly shows the medial portion being offset from the ends, and particularly shows "wherein said bowed character of said sheath positions a medial portion of said elongated sheath in an offset relationship to end portions of said elongated sheath".

It is therefore submitted that the objection to the drawings has been overcome, and withdrawal of the objection to the drawings is respectfully requested.

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Parts 2 through 4 of the Office Action

Claims 1 and 4 have been rejected under 35 U.S.C. §102(b) as being anticipated by DeVaughn.

Claims 2, 3, 5, 6, and 10 through 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over DeVaughn.

Claims 6, 9, 15 and 16 have been rejected under 35 U.S.C. §103(a) as being unpatentable over DeVaughn in view of Kawashima.

Claim 1, particularly as amended, requires "an elongated sheath having opposite ends and an opening extending into one of the ends of said elongated sheath for snugly receiving an end of the rotary blade" and "wherein said elongated sheath is bowed along a longitudinal axis of said elongated sheath between said ends whereby said elongated sheath securely engages the end of the rotary blade as it is inserted into said opening". As previously noted, and as noted in the disclosure of the application, this feature permits the blade to be inserted into the sheath for a distance before the blade becomes lodged or hung up in the sheath, which makes accidental withdrawal of the blade less likely while the user is using the sheath to hold the blade. The relatively small offset facilitates removal with a pull after the user has completed his or her use of the sheath.

In contrast, the DeVaughn patent shows a sheath with an opening for receiving a blade that is located on a *side* of the sheath, and not an *end* of the sheath, and the DeVaughn patent shows a sheath that is bowed *transverse* to an axis connecting the sides of the sheath, and not along a longitudinal axis.

It is therefore submitted that the cited patents, and especially the allegedly obvious combination of De Vaughn and Kawashima set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claim 1. Further, claims 2 through 6

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and 9, which depend from claim 1, also include the requirements discussed above and therefore are also submitted to be in condition for allowance.

Withdrawal of the §102(b) and §103(a) rejection of claims 1 through 6 and 8 through 17 is therefore respectfully requested.

CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

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Date: March 6, 2006